

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Cooperation Department – Allegations of corruption against Sri Venkata Swamy, Divisional Cooperative Officer, Gudur, Nellore District – Trapped by Anti Corruption Bureau – Article of charge framed – Further action dropped – Orders – Issued.

AGRICULTURE & COOPERATION (VIG.III) DEPARTMENT

G.O.Rt.No. 471

Dated: 12.04.2010
Read the following:-

1. From D.G., ACB, Hyd. Lr. No.103/RCT-NNL/2004, dt.27-04-2005.
2. Procs.No.11992/2004-ZIII(II-A), dt.17-04-2004 of the CC&RCS, Hyd.
3. From D.G.,ACB, Hyd. Lr.No.103/RCTNNL/2004, dt.29-09-2004.
4. Govt.Memo No.5700/Vig.III/2004, dt.12-01-2006.
5. GORt.No.45, Agri. & Coop.(Vig.III)Dept., dt.12-01-2006.
6. Govt.Memo No.5700/Vig.III/2004-2, dt.06-11-2006
7. From D.G.,ACB, Hyd. Lr.No.103/RCTNNL/2004, dt.11-01-2007.
8. Govt.Memo No.5700/Vig.III/2004-3, dt.10-04-2007.
9. Procs.No.11992/2004-G5, dt.18-12-2007 of CC&RCS, Hyd.
10. From Sri D. Venkata Swamy, Divisional Cooperative Officer, Written statement of defence dt.27-08-2008.
11. From Sri G.S.Kula Sekhar, Cooperative Sub-Registrar, Written statement of defence dt.Nil.
12. From Sri SK. Riyaz Ahmed, Night Watchman,, Written statement of defence dt.Nil.
13. Procs.No.11992/2005/SG3, dt.12-12-2008 of CC&RCS, Hyd.
14. From Sri T.H.Nataraja Rao, JR/DCO, Chittoor & Inquiry Officer, Inquiry Report dt.03-06-2009.

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ORDER:

Sri D. Venkata Swamy, Divisional Cooperative Officer(Accused Officer-1) and two others i.e. Sri G.S. Kulasekhar, Cooperative Sub-Registrar(Accused Officer-2) and Sri SK. Riyaz Ahmed, Night Watchman(Accused Officer-3), O/o Divisional Cooperative Officer, Gudur, Nellore District were trapped on 15-04-2004 by the officials of Anti Corruption Bureau, Nellore Range when Accused Officer-1 demanded and obtained bribe of Rs.8,000/- from the complainant through Accused Officer-2 and Accused Officer-3 for doing official favour. As they were involved in a case of moral turpitude, the Commissioner for Cooperation & Registrar of Cooperative Societies, Hyderabad being competent authority placed the above three Accused Officers under suspension in the reference 2nd read above.

2. The Director General, Anti Corruption Bureau, Hyderabad in the Final Report recommended for prosecution of above three Accused Officers in a court of law, as Sri D. Venkata Swamy, Divisional Cooperative Officer is liable for punishable under Sections 7,13 (2) read with 13(1)(d) of P.C. Act, 1988 (Central Act 49 of 1988) and Sri G.S. Kulasekhar, Cooperative Sub-Registrar and Sri SK. Riyaz Ahmed, Night Watchman are liable for punishable under Section 7 read with 12 and 13(2) read with 13(1)(d) of Prevention of Corruption Bureau Act, 1988 read with 109 I.P.C.

3. Sri D. Venkata Swamy, Divisional Cooperative Officer (U/s) has submitted a representation before Government stating that he was innocent in the trap case foisted against him and therefore, requested to drop further action against him.

4. After careful examination of the matter, Government have decided to initiate department action against the Accused Officer Sri D. Venkata Swamy, Divisional Cooperative Officer, considering that the evidence available against him is not sufficient to prosecute him in a Court of Law. Accordingly, the Director General, Anti Corruption Bureau, Hyderabad was requested to furnish draft articles of charges in the reference 4th read above. Further Government, while reviewing the suspension case of Sri D. Venkata Swamy, Divisional Cooperative Officer, have reinstated him into service without prejudice to the departmental action being initiated against him in the reference 5th read above The Other two Accused Officers Sri G.S. Kulasekhar, Cooperative Sub-Registrar (U/s) and Sri SK. Riyaz Ahmed, Night Watchman(U/s) were also reinstated into service by the competent authorities.

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5. In the reference 8th read above, while furnishing the draft articles of charges received from the Director General, Anti Corruption Bureau, the Commissioner for Cooperation & Registrar of Cooperative Societies, Hyderabad was requested to conduct common departmental inquiry against all the Accused Office. Accordingly, the Commissioner for Cooperation & Registrar of Cooperative Societies, Hyderabad has framed articles of charges against the above three Accused Officers.

6. The three Charged Officers Sri D. Venkata Swamy, Divisional Cooperative Officer, Sri G.S. Kulasekhar, Cooperative Sub-Registrar and Sri SK. Riyaz Ahmed, Night Watchman have submitted their written statements of defence denying the charges framed against them. The Commissioner for Cooperation & Registrar of Cooperative Societies, Hyderabad appointed the Joint Register/ District Cooperative Officer, has Inquiry Officer to conduct common inquiry into the charges framed against them.

7. The Inquiry Officer, after conducting common inquiry, has submitted the Inquiry report concluding that the charges are held not proved against all the three Charged Officers Sri D. Venkata Swamy, Divisional Cooperative Officer, Sri G.S. Kulasekhar, Cooperative Sub-Registrar and Sri SK. Riyaz Ahmed, Night Watchman.

8. Government have examined the matter carefully and decided to drop further action against all the three Charged Officers Sri D. Venkata Swamy, Divisional Cooperative Officer, Sri G.S. Kulasekhar, Cooperative Sub-Registrar and Sri SK. Riyaz Ahmed, Night Watchman, as the charges are not held proved in the common inquiry against them.

9. Accordingly, Government hereby drop further action against all the three Charged officers Sri D. Venkata Swamy, Divisional Cooperative Officer, Sri G.S. Kulasekhar, Cooperative Sub-Registrar and Sri SK. Riyaz Ahmed, Night Watchman,

10. The Commissioner for Cooperation & Registrar of Cooperative Societies, Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.R. KISHORE
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri D.Venkata Swamy, Divisional Coperative Officer,
Sri G.S. Kulasekhar, Cooperative Sub-Registrar and
Sri SK. Riyaz Ahmed, Night Watchman
(Through the, CC & RCS, Hyderabad)
Copy to
The Commissioner for Cooperation & Registrar of Cooperative Societies, Hyderabad
The Director General, Anti Corruption Bureau, Hyderabad.
The Secretary, APVC, Hyd. (4164/VC.1/2/2004)
SF/SC

// forwarded ;; by order //

SECTION OFFICER